

# **Patrick Bayou Total Maximum Daily Load (TMDL) Community Participation Panel**

## ***Minutes of Thursday, August 29, 2002 Meeting***

The Patrick Bayou Total Maximum Daily Load (TMDL) Community Participation Panel met on Thursday, August 29, 2002 from 2:00 – 5:00 p.m. The meeting was held at the Rohm and Haas Engineering Building at 6519 Hwy. 225 in Deer Park, Texas. Attendees are listed below.

Fred Andes of Barnes and Thornburg, counsel to the Patrick Bayou TMDL Lead Organization, reviewed comments the lead organization made in July on the TNRCC Draft Integrated Report. Proposed comments had been discussed with the TMDL Community Participation Panel in June.

Randy Palachek of Parsons Engineering Science presented a summary of work on all four TMDLs. The studies show the bayou meets the applicable standards for copper and ambient water toxicity. Petitions to delist the bayou for those parameters have already been submitted to TCEQ. Thus no TMDL recommendations for copper or ambient water toxicity were prepared. The remaining reports--with recommendations on temperature and on sediment toxicity--are due to be submitted to the Texas Commission on Environmental Quality in the coming weeks. Discussions will continue about an appropriate temperature standard since modeling shows the 95 degree criterion cannot be met on very hot days even if there are no discharges to the bayou. The report on sediment toxicity will document the steps taken (unsuccessfully) to determine the source of the toxicity. It will also lay out lead organization plans for a limited periodic sampling program and monitoring of progress in whole sediment science and protocol development.

Due to the impending listing of Patrick Bayou on the Superfund National Priorities List, a primer on Superfund was presented by Palachek. The panel as well as the Deer Park Community Advisory Council, which meets routinely with local plants, will be kept informed as the Superfund process moves forward.

Plans were made to communicate by mail and e-mail with panel members about the TMDL reports and decisions relating to them. No plans were made for another meeting because none seems to be needed. Should one become necessary, the group can meet again.

Panel members were asked to provide feedback on the panel process. Both community and lead organization stakeholders found it important to have community members, organizations with environmental interests, industry, the City of Deer Park, and TNRCC involved on this complex issue.

For more information about the meeting, contact panel facilitator Diane Sheridan at **DBSheridan@aol.com**. For information about the TMDL, contact TNRCC TMDL

Project Manager Larry Koenig at **lkoenig@tceq.state.tx.us** or Patrick Bayou TMDL  
Lead Organization coordinator Louis Brzuzy of Shell Chemical at  
**Louis.Brzuzy@shell.com**

## **ATTENDEES**

### **Panel Members** (\* = *in attendance*)

Buddy Bishop, Deer Park CAC  
Rosalinda Bryan, Rohm and Haas Texas\*  
Louis Brzuzy, Shell Chemical\*  
Ben Connelley, City of Deer Park\*  
Phil Dorn, Shell Global Solutions\*  
Scott Jones, Galv. Bay Estuary Program  
Larry Koenig, TNRCC TMDL Manager\*  
Carl Masterson, Houston – Galveston Area Council\*  
Karen McCarroll, Deer Park CAC\*  
Vernon Mensch, Deer Park CAC\*  
Norman Mollard, Lubrizol\*  
Pat Pembroke, Praxair\*  
Michelle Precourt, Deer Park CAC  
\_\_\_\_\_, Galveston Bay Foundation  
Barbara Lewis for Lamoin Scott, Office of Sen. Mike Jackson, DPCAC\*  
Mary Ellen Whitworth, Bayou Preservation Ass'n.\*  
John Westendorf for Mark Woodall, Oxy Vinyls\*

### **Observers, Resources\***

Fred Andes, Barnes and Thornburg  
Gary Baumgarten, EPA Region 6  
Tracy Hester, Bracewell & Patterson  
Jim Horne, PBS&J  
John Jacobi, PBS&J  
Ed Matuszak, URS; La Porte CAC  
Mahendra Mohite, Roy Weston Inc.  
Mary Jane Naquin  
Randy Palachek, Parsons Engineering Science  
Joe Phillips, Shell Deer Park Refining Company  
Carly Rees, URS Corporation

### **Facilitator\***

Diane Sheridan